

**TOWN OF DAVIE
TOWN COUNCIL AGENDA REPORT**

TO: Mayor and Councilmembers

FROM/PHONE: William W. Ackerman, CPA, Budget & Finance Director/797-1050

PREPARED BY: Nabors, Giblin & Nickerson, P.A., Attorneys At Law

SUBJECT: Resolution

AFFECTED DISTRICT: Town wide

ITEM REQUEST: Schedule for Council Meeting

TITLE OF AGENDA ITEM: UNIFORM METHOD OF COLLECTING - A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA ELECTING TO USE THE UNIFORM METHOD OF COLLECTING NON-AD VALOREM SPECIAL ASSESSMENTS LEVIED WITHIN THE INCORPORATED AREAS OF THE TOWN; STATING A NEED FOR SUCH LEVY; PROVIDING FOR THE MAILING OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

REPORT IN BRIEF: The Town is currently utilizing the uniform method of collecting its fire rescue and solid waste non-ad valorem assessments. The Town intends to continue to use the uniform method for collecting non-ad valorem special assessments for the cost of providing fire rescue services and facilities and solid waste collection and disposal services and facilities to property within the incorporated areas of the Town as authorized by section 197.3632, Florida Statutes, as amended, because this method allows such special assessments to be collected annually in the same manner as provided for ad valorem taxes. This resolution renews the Town's intent, and is necessary to be adopted by the Town Council because of the areas annexed into the Town subsequent to the Town's initial use of this method of collection.

PREVIOUS ACTIONS: Town Council previously approved resolutions R-2008-212 for Solid Waste Assessment and R-2008-213 for the Fire Assessment. In addition, resolutions R-2006-243 and R-2006-244 were approved on September 6, 2006, to annex Pine Island Ridge and United Ranches.

CONCURRENCES: Nabors, Giblin & Nickerson, P.A. Attorney At Laws reviewed the documents pertaining to this item.

FISCAL IMPACT: not applicable

Has request been budgeted? n/a

RECOMMENDATION(S): Motion to approve resolution

Attachment(s): Resolution

RESOLUTION NO. _____

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA ELECTING TO USE THE UNIFORM METHOD OF COLLECTING NON-AD VALOREM SPECIAL ASSESSMENTS LEVIED WITHIN THE INCORPORATED AREAS OF THE TOWN; STATING A NEED FOR SUCH LEVY; PROVIDING FOR THE MAILING OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Davie, Florida (the "Town") is contemplating the continued imposition of special assessments for the provision of fire rescue services and facilities, and solid waste collection and disposal services and facilities; and

WHEREAS, the Town intends to continue to use the uniform method for collecting non-ad valorem special assessments for the cost of providing fire rescue services and facilities and solid waste collection and disposal services and facilities to property within the incorporated areas of the Town as authorized by section 197.3632, Florida Statutes, as amended, because this method allows such special assessments to be collected annually in the same manner as provided for ad valorem taxes; and

WHEREAS, the Town held a duly advertised public hearing prior to the adoption of this Resolution, proof of publication of such hearing being attached hereto as Exhibit A.

NOW, THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA:

1. The Town is currently utilizing the uniform method of collecting its fire rescue and solid waste non-ad valorem assessments and intends to continue using the uniform method annually for this purpose. The Town has previously evidenced its intent to use the uniform method of collecting non-ad valorem assessments for the cost of

providing fire rescue services and facilities and solid waste collection and disposal services and facilities for the current Fiscal Year and for the Fiscal Year commencing on October 1, 2009. This resolution renews the Town's intent, to use the uniform method of collecting non-ad valorem assessments authorized in section 197.3632, Florida Statutes, as amended, for the cost of providing fire rescue services and facilities, and solid waste collection and disposal services and facilities commencing with the Fiscal Year beginning on October 1, 2010, and with the tax statement mailed for such Fiscal Year and continuing until discontinued by the Town. Such non-ad valorem assessments shall be levied within the incorporated areas of the Town, as they currently exist or as they may be expanded through future annexation. A legal description of the existing areas subject to the assessment is attached hereto as Exhibit B and incorporated by reference.

2. The Town hereby determines that the levy of the assessments is needed to fund the cost of fire rescue services and facilities, and solid waste collection and disposal services within the incorporated areas of the Town.

3. Upon adoption, the Town Clerk is hereby directed to send a copy of this Resolution by United States mail to the Florida Department of Revenue, the Broward County Tax Collector, and the Broward County Property Appraiser by January 10, 2010.

4. This Resolution shall be effective upon adoption.

PASSED AND ADOPTED this ____ day of _____, 2009.

MAYOR/COUNCIL
MEMBER

Attest:

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2009

EXHIBIT A
PROOF OF PUBLICATION

Legal Notices

SunSentinel.com/GetItAll 

Public Hearing Notice

NOTICE OF INTENT TO USE UNIFORM METHOD OF COLLECTING NON-AD VALOREM ASSESSMENTS

The Town of Davie, Florida (the "Town") hereby provides notice, pursuant to section 197.3632(3)(a), Florida Statutes, of its intent to use the uniform method of collecting non-ad valorem special assessments to be levied within the incorporated area of the Town for solid waste collection and disposal services, facilities, and programs and fire rescue services, facilities, and programs. The Town currently utilizes the uniform method of collecting non-ad valorem special assessments and intends to continue to use the uniform method of collecting its non-ad valorem assessments for the Fiscal Year commencing October 1, 2010 and all future Fiscal Years until discontinued by the Town. The Town will consider the adoption of a resolution or resolutions electing to use the uniform method of collecting such assessments authorized by section 197.3632, Florida Statutes, at a public hearing to be held at 6:30 p.m. on April 15, 2009 at the Davie Town Hall, 6591 Orange Drive, Davie, Florida. Such resolution(s) will state the need for the levy and will contain a legal description of the boundaries of the real property subject to the levy. Copies of the proposed form of resolution(s), which contains the legal description of the real property subject to the levy, are on file at the Town Clerk's Office, 6591 Orange Drive, Davie, Florida. All interested persons are invited to attend.

In the event any person decides to appeal any decision by the Town with respect to any matter relating to the consideration of the resolution at the above referenced public hearing, a record of the proceeding may be needed and in such an event, such person may need to ensure that a verbatim record of the public hearing is made, which record includes the testimony and evidence on which the appeal is to be based. In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in this proceeding should contact the Town Clerk at (954) 797-1023 at least five (5) days prior to the date of the hearing.

DATED this 22nd day of March, 2009.

By Order of:

TOWN OF DAVIE, FLORIDA

March 22, 29, 2009

April 5, 12, 2009

EXHIBIT B

LEGAL DESCRIPTION

DESCRIPTION OF TOWN LIMITS OF THE TOWN OF DAVIE

COMMENCE at the Southwest corner of Section 33, Township 50 South, Range 41 East, Broward County, Florida; thence Easterly along the South line of said Section 33 to the Southwest corner of the East one-half (E 1/2) of the West one-half (W 1/2) of said Section 33 and the POINT OF BEGINNING; thence Northerly along the West line of the East one-half (E 1/2) of the West one-half (W 1/2) of said Section 33 to the Southwest corner of the East one-half (E 1/2) of the West one-half (W 1/2) of Section 33 to the Southwest corner of the East one-half (E 1/2) of the West one-half (W 1/2) of said Section 28, Township 50 South, Range 41 East; thence continue Northerly along the West line of the East one-half (E 1/2) of the West one-half (W 1/2) of said Section 28 to a point on the original centerline of the South New River Canal (C-11 South) (260 foot right-of-way); thence Westerly along said centerline to an intersection with the East line of Section 28, Township 50 South, Range 40 East; thence southerly along said East line and the East line of Section 33, Township 50 South, Range 40 East of the Plat of "FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1", according to the Plat thereof as recorded in Plat Book 2, Page 17 of the Public Records of Dade County, Florida to a point of intersection with the South boundary of the Plat of "REGENCY" (Plat Book 121, Page 48, Broward County Records); thence Westerly along said South boundary to an intersection with the Easterly right-of-way line of Interstate 75; thence Southerly along said right-of-way line to an intersection with the South line of Tract 64 in said Section 33; thence Easterly along said South line of Tract 64 to the Southeast corner thereof; thence Northerly along the Easterly line of said Tract and a Northerly prolongation thereof to an intersection with the North line of the Southeast one-quarter (SE 1/4) of said Section 33; thence Easterly along said North line to an intersection with the East section line of said Section 33; thence Southerly along said line and the east line of Section 4, Township 51 South, Range 40 East of "CHAMBERS LAND COMPANY SUBDIVISION", as recorded in Plat Book 1, Page 5B of the Public Records of Broward County, Florida to an intersection with the South line of said Section 4; thence Westerly along said South line to an intersection with the West line of the East one-half (E 1/2) of the Southwest one-quarter (SW 1/4) of said Section 4; thence Northerly along said West line to an intersection with the South line of the Northwest one-quarter (NW 1/4) of said Section 4; thence Westerly along said South line to an intersection with the East line of Section 5, Township 51 South, Range 40 East of said plat of "FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1"; thence Westerly along the South line of the Northeast one-quarter (NE 1/4) of said Section 5, also being the South line of Tract 8 of said Section 5, to the Southwest corner of said Tract 8; thence Northerly along the West line of Tract 8 and Tract 7 of said Section 5 to an intersection with a line being parallel with and 13.30 feet North of the South line of Tract 10 of said Section 5; thence Westerly along said parallel line to an intersection with the West line of the East one-half (E 1/2) of said Tract 10; thence Southerly along said West line to an intersection with the South

line of said Tract 10; thence Westerly along said South line to the southwest corner of said Tract 10; thence northerly along the west line of Tracts 10 through 13 to the northwest corner of Tract 13; thence Easterly along the North line of said Tract 13 to the Northeast corner of said Tract 13, also being the Southwest corner of Tract 3 of said Section 5; thence Northerly along the West line of Tracts 3, 2 and 1 of said Section 5 to an intersection with a line 55 feet south of the north line of said Tract 1; thence Easterly along said line to an intersection with the East line of the West one-half (W 1/2) of Tracts 1 through 5 inclusive; thence Southerly along said East line to an intersection with the north line of Tract 6 of said Section 5; thence Easterly along said North line to a point of intersection with the West right-of-way line of S.W. 160th Avenue; thence Northerly along said right-of-way line to a point 1400 feet North of the South line of Section 33, Township 51 South, Range 40 East; thence Easterly to a point of intersection with a line 55 feet east of and parallel to the west line of said Section 33; thence Northerly along said parallel line to an intersection with the North line of Tract 45 of Section 33, Township 50 South, Range 40 East; thence Easterly along said North line to an intersection with the West line of the East one-half (E 1/2) of the West one-half of said Section 33; thence Northerly along said West line and the West line of the East one-half (E 1/2) of the West one-half (W 1/2) of Section 28, Township 50 South, Range 40 East, to an intersection with the Original Centerline of the South New River Canal (C-11 South); thence Westerly along said centerline to an intersection with the West right-of-way line of Southwest 160th Avenue, being a line being parallel with and 100 feet West of the West line of said Section 28; thence Northerly along said parallel line and along a line being 100 feet West of and parallel with the West line of Section 21, 16 and 9 of Township 50 South, Range 40 East to an intersection with a line being parallel with and 15.00 feet North of the South line of said Section 9; thence Easterly along said parallel line to an intersection with the West line of Section 10, Township 50 South, Range 40 East; thence Northerly along the West line of said Section 10 to an intersection with the South boundary of the North one-half (N 1/2) of the Northeast one-quarter (NE 1/4) of the Northeast one-quarter (NE 1/4) of Section 9, Township 50 South, Range 40 East of said Plat of "FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1"; thence Westerly along said South boundary also being the South line of Tract 2 of said Section 9 to the Southwest corner of said Tract 2; thence Northerly along the West boundary of said North one-half (N 1/2) of the Northeast one-quarter (NE 1/4) of the North east one-quarter (NE 1/4) of said Section 9, also being the West line of said Tract 2 and Tract 1 of said Section 9 to an intersection with the North line of said Section 9; thence Easterly along said North line to the Northeast corner of said Section 9, also being the Southwest corner of Section 3, Township 50 South, Range 40 East; thence Northerly along the West line of said Section 3 to an intersection with the North right-of-way line of State Road No. 84, also being the South right-of-way line of the North New River Canal (C-11 North); thence Southeasterly along said South right-of-way line to the Northwest corner of the East one-half (E 1/2) of Tract 1, Tier 7 in Section 24, Township 50 South, Range 41 East of said Plat of "JOHN W. NEWMAN'S SURVEY"; thence Northeasterly along an extension of the Westerly line of said East one-half (E 1/2) of said Tract 1 to the South bank of said North New River Canal; thence Southeasterly along said bank to the Westerly right-of-way line of State Road No. 7; thence Northeasterly along said right-of-way line to the centerline of said North New River Canal; thence Northwesterly along

said centerline to the Southwesterly extension of the West right-of-way line of Southwest 41st Avenue; thence Northeasterly along said right-of-way line and its extension to the North line of Section 24, Township 50 South, Range 41 East; thence Easterly to a point on the Easterly right-of-way line of Southwest 41st Avenue being 298.34 feet Northerly from the Southwest corner of Tract 2, Tier 4 of said Plat of "JOHN W. NEWMAN'S SURVEY"; thence Southeasterly to a point on the Westerly right-of-way line of State Road No. 7, being 300.00 feet, (as measured along said Westerly right-of-way line) from the Southerly line of said Tract 2; thence Northerly along said Westerly right-of-way line to its intersection with the Westerly prolongation of the North right-of-way line of Riverland Road; thence Easterly along said prolongation to the Easterly right-of-way line of State Road No. 7; thence Southerly along said East right-of-way line to an intersection with the centerline of said North New River Canal; thence Easterly along said centerline to its intersection with the West line of the Southeast one-quarter (SE 1/4) of the Northeast one-quarter (NE 1/4) of Section 19, Township 50 South, Range 42 East; thence Southerly along said West line to the South bank of said Canal; thence Easterly and Southerly along said South bank and the Westerly bank of the South Fork of the New River Canal to the Northerly right-of-way line of State Road No. 84; thence Westerly along said Northerly right-of-way line to the East boundary of Section 19, Township 50 South, Range 42 East; thence Southerly along said East boundary to the Southerly right-of-way line of State Road No. 84; thence Westerly along said right-of-way line to the West line of the East 192.00 feet of said Section 19; thence Southerly along said West line to the Northerly bank of the South Fork of the New River Canal; thence Southwesterly along said Northerly bank to a point lying 3478.00 feet West of, (as measured at right angles to) the East line of said Section 19, thence Northerly and parallel with the East line of said Section 19 to the Southerly Limited Access right-of-way line of Interstate 595 as shown on the Florida Department of Transportation Right-of-Way Map, Project Section No. 86095-2403; thence Westerly and Southwesterly along said Limited Access right-of-way line to an intersection with the Northerly line of Tract 5, Tier 1 in Section 24, Township 50 South, Range 41 East of "JOHN W. NEWMAN'S SURVEY", (Plat Book 2, Page 26, Dade County Records); thence Southeasterly along said Northerly line 50.78 feet to the Easterly right-of-way line of Access Road 7 as shown on the aforesaid Interstate 595 Right-of-Way Map, Project Section No. 86095-2403; thence Southwesterly along said Easterly right-of-way line to an intersection with the North line of Section 25, Township 50 South, Range 41 East; thence Westerly along said North line to an intersection with the Northerly prolongation of the East line of the West three-quarters (W 3/4) of Tract 3 of said Section 25; thence Southerly along said prolongation and said East line to the Southeast corner of said West three-quarters (W 3/4) of the North one-half (N 1/2) of the North one-half (N 1/2) of said Tract 3; thence Westerly along the South line of the West three-quarters (W 3/4) of the North one-half (N 1/2) of the North one-half (N 1/2) of said Tract 3 to the Easterly right-of-way line of State Road No. 7; thence Southwesterly along said Easterly right-of-way line to a point radially Southeast from the intersection of the West line of Tract 20 in said Section 25 of said Plat of "JOHN W. NEWMAN'S SURVEY" with the Westerly right-of-way line of State Road No. 7; thence radially Northwest from said point to the Westerly right-of-way line of State Road No. 7; thence Southerly along said Westerly right-of-way line to an intersection with the centerline of said South New River Canal; thence Easterly along

said centerline to an intersection with the East right-of-way line of State Road No. 7; thence Southerly along said right-of-way line to an intersection with the easterly prolongation of the North line of Tracts 11 and 12 in Section 36, Township 50 South, Range 41 East of "JOHN W. NEWMAN'S SURVEY"; thence Westerly along said line to an intersection with the West right-of-way line of the Sunshine State Parkway; thence Southerly along the right-of-way line to the intersection with the South line of Section 36, Township 50 South, Range 41 East; thence Westerly along the South line of Section 36 and 35, Township 50 South, Range 41 East to the Northeast corner of Section 2, Township 51 South, Range 41 East; thence Southerly along the East line of said Section 2 for 289.55 feet to a point on the North line of Northwest 42nd Street; thence Westerly along the North line of Northwest 42nd Street for 1215.54 feet, more or less, to a point on the West line of Northwest 65th Avenue; thence Southerly along said West line 30 feet to a point on the South line of Parcel "A" in Block 1 of "LINWOOD GARDENS" (Plat Book 46, Page 5, Broward County Records); thence Westerly along the South line of said Parcel "A", for 105 feet to the Southwest corner of said Parcel "A"; thence Southerly along the East line of the Northeast one-quarter (NE 1/4) of the Northwest one-quarter (NW 1/4) of the Northeast one-quarter (NE 1/4) of said Section 2 for 67.77 feet, more or less, to the Southeast corner of Lot 4 in Block 1 of the Plat of "HERITAGE LAKE ESTATES SECTION 1" (Plat Book 53, Page 16, Broward County Records); thence Westerly along the South line of said Lot 4, in Block 1 and along the South line of Lot 4 in Block 2 of said Plat of "HERITAGE LAKES ESTATES SECTION 1" for 275.14 feet more or less to a point on the East line of Tract "B" of said Plat of "HERITAGE LAKES ESTATES SECTION 1"; thence Southerly along the East line of said Tract "B" for 3.34 feet, more or less, to a point of curvature of a circular curve to the right; thence Southwesterly along the arc of said circular curve to the right, at the Southeast corner of said Tract "B", having a radius of 27 feet, for an arc distance of 42.08 feet to a point of tangency with the South line of said Tract "B"; thence Westerly along the South line of said Tract "B" and along the South line of Tract "A" of said "HERITAGE LAKES ESTATES SECTION 1" for 510.53 feet, more or less, to a point of curvature of a circular curve to the right; thence Westerly along the South line of said Tract "A" and along the arc of said circular curve to the right having a radius of 340 feet, for an arc distance of 149.82 feet to a point of reverse curvature; thence Westerly along the arc of a circular curve reversing to the left, being the South line of said Tract "A", having a radius of 630 feet, for an arc distance of 277.60 feet to a point of tangency with the South line of said Tract "A"; thence Westerly along the South line of said Tract "A" for 120.76 feet, more or less, to the East line of the Northwest one-quarter (NW 1/4) of said Section 2; thence Southerly along the East line of the Northwest one-quarter (NW 1/4) of said Section 2 for 18.31 feet; thence Westerly along a line parallel with and 313 feet South of the North line of the Northwest one-quarter (NW 1/4) of said Section 2 for 1980.2 feet, more or less, to the East line of the West one-half (W 1/2) of the Northwest one-quarter (NW 1/4) of the Northwest one-quarter (NW 1/4) of said Section 2; thence Southerly along the East line of the West one-half (W 1/2) of the Northwest one-quarter (NW 1/4) of the Northwest one-quarter (NW 1/4) of said Section 2 for 1001.97 feet, more or less, to the Southeast corner of the West one-half (W 1/2) of the Northwest one-quarter (NW 1/4) of the Northwest one-quarter (NW 1/4) of said Section 2; thence Westerly along the South line of the West one-half (W 1/2) of the Northwest one-quarter (NW 1/4) of the Northwest

one-quarter (NW 1/4) of said Section 2 and along the North line of Tract 5 of the Plat of "A.J. BENDLE SUBDIVISION OF SECTION 3, TOWNSHIP 51 SOUTH, RANGE 41 EAST" (Plat Book 1, Page 27, Dade County Records) to a point of intersection with the Northwestern right-of-way line of Davie Road Extension according to the Davie Road Extension Centerline Location Map Number (M-197 r/w) dated March 1957, Field Book 56-2, File No. 491, Broward County Engineering Department; thence Southwesterly along said Northwestern right-of-way line to a point of intersection with the South line of Section 4, Township 51 South, Range 41 East; thence Westerly along said South line to an intersection with the West line of that certain 100 foot canal reservation whose easterly line is contiguous with the westerly right-of-way line of University Drive; thence Northerly along said West line to an intersection with the South line of Tract 62 of said Section 4, of "THE EVERGLADES SUGAR AND LAND COMPANY'S SUBDIVISION" (Plat Book 2, Page 75, Dade County Records); thence Westerly along said South line to the Southwest corner of said Tract 62; thence Northerly along the West line of said Tract 62, to the Northwest corner of said Tract 62; thence Easterly along the North line of said Tract 62 to the West line of said 100 foot canal reservation; thence northerly along the westerly line of said canal reservation to its northern terminus; thence northeasterly along the northerly line of said canal reservation to a point of intersection with the westerly right-of-way line of University Drive; thence northerly along the westerly right-of-way line of University Drive to a point of intersection with the southerly right-of-way line of Stirling Road; thence westerly along said southerly right-of-way line to a point of intersection with the east line of the west one-half of Tract 9; thence Southerly along the East line of the West one-half (W 1/2) of said Tract 9 to the South line of said Tract 9; thence Westerly along the South line of Tracts 9, 10 and 11 of said Section 4 to an intersection of the West line of the East one-half (E 1/2) of said Tract 11; thence Northerly along the West line of the East one-half (E 1/2) of said Tract 11 and its Northerly extension to the South line of Section 33, Township 50 South, Range 41 East; thence Westerly along the South line of said Section 33 to the Southwest corner of the East one-half (E 1/2) of the West one-half (W 1/2) of said Section 33 and the POINT OF BEGINNING.

LESS therefrom the following:

Tract 'A' of "SOUTH BROWARD DRAINAGE DISTRICT" according to the plat thereof as recorded in Plat Book 144, Page 12 of the Public Records of Broward County, Florida.

TOGETHER WITH:

Portions of Tracts 25, 27 and 28, in Section 30, Township 50 South, Range 41 East, of "John W. Newman's Survey", according to the plat thereof as recorded in Plat Book 2, Page 26 of the Public Records of Dade County, Florida, together with that portion of the hiatus lying West of said Section 30 and together with that portion of the South New River Canal right-of-way lying adjacent to said tracts and hiatus, more particularly described as follows:

COMMENCING at the Southeast corner of the Southwest one-quarter (SW 1/4) of said Section 30; thence Westerly along the South line of said Southwest one-quarter (SW 1/4) to an intersection with a line parallel with and 15 feet West of the East line of the Southwest one-quarter (SW 1/4) of said Section 30; thence Northerly along said parallel line to the South line of said Tract 28 and the POINT OF BEGINNING; thence along the municipal limits of Cooper City per Chapter 59-1195, Laws of Florida, as amended by Chapter 61-2050, Laws of Florida, the following nine (9) courses; thence Westerly along the South line of said Tracts 28 and 27 to the Southwest corner of said Tract 27; thence Northerly along the West line of said Tract 27 to the Northwest corner thereof; thence Westerly along the Easterly prolongation of the North line of Tract 26 of said "John W. Newman's Survey" to the Northeast corner of said Tract 26; thence Southerly along the East line of said Tract 26 to the Southeast corner thereof; thence Westerly along the South line of said Tracts 26 and 25 to the Southwest corner of said Tract 25; thence Northerly along the West line of said Tract 25, being on a line parallel with and 15 feet East of the West line of said Section 30, and along a portion of the municipal limits of Cooper City per Ordinance number 87-2-2 to the Northwest corner of said Tract 25; thence Westerly along the Westerly prolongation of the North line of said Tract 25 to the West line of said Section 30; thence Southerly along said West line to the Westerly prolongation of the South line of said Tract 25; thence Westerly along said Westerly prolongation to the East line of the municipal limits of Cooper City per Ordinance number 2001-4-2; thence Northerly along said municipal limits line and along the Northerly prolongation thereof to the centerline of the South New River Canal right-of-way; thence Easterly along said centerline and along the municipal limits of the Town of Davie per Chapter 84-420, Laws of Florida, to the Northerly prolongation of the East line of said Tract 28; thence Southerly along said prolongation and along a portion of the municipal limits of Cooper City per Chapter 59-1195, Laws of Florida, as amended by Chapter 61-2050, Laws of Florida, to the POINT OF BEGINNING.

LESS therefrom the following:

That portion of Cooper City per Ordinance number 85-6-1 described as follows; the North 378 feet of that portion of Tract 28, Section 30, Township 50 South, Range 41 East according to, John W. Newman's Survey, lying South of the South right of way line of South New River Canal, as recorded in Plat Book 2, Page 26 of the Public Records of Dade County, Florida, said lands situate, lying and being in Broward County, Florida; less the East 45 feet for road right-of-way.

And also LESS:

That portion of Cooper City per Ordinance number 87-2-2 being a part of Tract 25, Section 30, Township 50 South, Range 41 East, "John W. Newman's Survey", as recorded in Plat Book 2, Page 26 Dade County Records, more particularly described as follows:

COMMENCE at the Southeast corner of said Tract 25; thence on an assumed bearing of North 00°16'37" East along the East line of said Tract 25 a distance of 907.59 feet to the

POINT OF BEGINNING; thence North $89^{\circ}15'43''$ West 340.58 feet to a point on the arc of a non-tangent curve concave to the West, a radial line of said curve through said point having a bearing of South $83^{\circ}45'04''$ East; thence Northerly along the arc of said curve to the left, having a central angle of $01^{\circ}42'38''$, and a radius of 620.00 feet for an arc distance of 18.51 feet to a point on a non-tangent line; thence North $89^{\circ}43'23''$ West 306.07 feet to the West line of said Tract 25; thence North $00^{\circ}16'37''$ East along the said West line a distance of 284.02 feet to a line 50.00 feet South of and parallel with the North line of said Tract 25; thence South $89^{\circ}15'43''$ East along the said parallel line a distance of 645.01 feet to the said East line; thence South $00^{\circ}16'37''$ West along the said East line a distance of 300.01 feet to the POINT OF BEGINNING.

And also LESS:

All of Tract 26 and a portion of Tract 27, in Section 30, Township 50 South, Range 41 East, of "John W. Newman's Survey", according to the plat thereof as recorded in Plat Book 2, Page 26 of the Public Records of Dade County, Florida, together with portions of the South New River Canal right-of-way lying adjacent to said tracts, more particularly described as follows:

COMMENCING at the Southeast corner of the Southwest one-quarter (SW 1/4) of said Section 30; thence Westerly along the South line of said Southwest one-quarter (SW 1/4) to an intersection with a line parallel with and 15 feet West of the East line of the Southwest one-quarter (SW 1/4) of said Section 30; thence Northerly along said parallel line to the South line of Tract 28 of said "John W. Newman's Survey"; thence along the municipal limits of Cooper City per Chapter 59-1195, Laws of Florida, as amended by Chapter 61-2050, Laws of Florida, the following two (2) courses; thence Westerly along the South line of said Tracts 28 and 27 to the Southwest corner of said Tract 27; thence Northerly along the West line of said Tract 27 to a point on the South line of a parcel of land described in Official Records Book 33192, Page 1763 of the Public Records of Broward County, Florida and the POINT OF BEGINNING; thence Easterly along the South line of said parcel and along the Easterly prolongation thereof to the centerline of S.W. 108 Avenue; thence Northerly along said centerline to the centerline of the South New River Canal right-of-way; thence Westerly along said centerline and along the municipal limits of the Town of Davie, per Chapter 84-420, Laws of Florida to the Northerly prolongation of the West line of said Tract 26; thence Southerly along said Northerly prolongation and along said West line of Tract 26, a portion of which is along the municipal limits of Cooper City per Ordinance number 87-2-2, to the Southwest corner of said Tract 26; thence along the municipal limits of Cooper City per Chapter 59-1195, Laws of Florida, as amended by Chapter 61-2050, Laws of Florida, the following four (4) courses; thence Easterly along the South line of said Tract 26 to the Southeast corner thereof; thence Northerly along the East line of said Tract 26 to the Northeast corner thereof; thence Easterly along the Westerly prolongation of the North line of said Tract 27 to the Northwest corner of said Tract 27; thence Southerly along West line of said Tract 27 to the POINT OF BEGINNING.

TOGETHER WITH:

Portions of Section 31, Township 50 South, Range 41 East and a portion of Section 25, Township 50 South, Range 40 East of "Florida Fruit Lands Company's Subdivision No. 1", as recorded in Plat Book 2, Page 17 of the Public Records of Dade County, Florida, together with a portion of "F.M. Brown's Subdivision of Section 36, Township 50 South, Range 40 East", as recorded in Plat Book 4, Page 5 of the Public Records of Broward County, Florida, and also together with a portion of the hiatus between Range 41 East and Range 40 East, more particularly described as follows:

BEGINNING at the Southeast corner of the Southwest one-quarter (SW 1/4) of said Section 31; thence Westerly along the South line of said Section 31, also being the municipal limits of Cooper City per Ordinance number 83-6-4, to the East line of the West one-half (W 1/2) of Tracts 41, 42, 43 and 44 of said, "Florida Fruit Lands Company's Subdivision No. 1"; thence Northerly along said East line and along the municipal limits of Cooper City per Ordinance number 98-9-3 to the South line of the Northwest one-quarter (NW 1/4) of the Southwest one-quarter (SW 1/4) of said Section 31; thence Westerly along said South line and along said municipal limits to the Southwest corner of the Northwest one-quarter (NW 1/4) of the Southwest one-quarter (SW 1/4) of said Section 31; thence Northerly along the West line of said Section 31, also being the East line of the Hiatus between Range 40 East and Range 41 East and along the municipal limits of Cooper City per Ordinance number 89-5-3 to a point 3901.54 feet South of the Northwest corner of said Section 31 (as measured along said Section line); thence Westerly along said municipal limits to the East line of Block 2 of the aforesaid "F.M. Brown's Subdivision of Section 36, Township 50 South, Range 40 East"; thence Northerly along said East line and along the municipal limits of Cooper City per Ordinance number 84-3-1 and Chapter 59-1195, Laws of Florida, as amended by Chapter 61-2050, Laws of Florida, to the Northeast corner of Lot 22 of said Block 2 and the Southeast corner of "Rio Ranches", according to the plat thereof as recorded in Plat Book 91, Page 30 of the Public Records of Broward County, Florida; thence Easterly along the Easterly prolongation of the South line of said "Rio Ranches" to the East line of said Section 36; thence Northerly along said East line to a point of intersection with the Easterly prolongation of the North line of said "Rio Ranches", being 40 feet South of the North line of said Section 36; thence Westerly along said Easterly prolongation to a point on the municipal limits of Cooper City per Ordinance number 95-10-1 said point being on a line parallel with and 55.00 feet west of the East line of said Section 36; thence Northerly along said parallel line, and said municipal limits to the North line of said Section 36; thence Easterly along said North line and along the municipal limits of Cooper City per Ordinance number 93- 9-1 to a line parallel with and 50 feet West of the East line of said Section 25; thence Northerly along said parallel line and along said municipal limits to the South line of Tract 55 in said Section 25; thence Easterly along said South line and along the municipal limits of Cooper City per Ordinance number 2001-4-2 to the East limits of said Cooper City per Ordinance number 2001-4-2; thence Northerly along said East limits to the Westerly prolongation of the North line of said Section 31; thence Easterly along said Westerly prolongation and along the North line of said Section 31 and along the municipal limits of Cooper City per Chapter 59-1195, Laws

of Florida, as amended by Chapter 61-2050, Laws of Florida, to the East line of the Northwest one-quarter (NW 1/4) of said Section 31; thence Southerly along said East line and along the municipal limits of Cooper City per Ordinance numbers 73-11-2 and 74-1-5 to the North line of Tract 20 in said Section 31; thence Westerly along said North line and along the municipal limits of Cooper City per Ordinance number 83-5-3 to the Northwest corner of said Tract 20; thence Southerly along the West line of said Tract 20 and along the West line of Tract 21 of said Section 31 and along the municipal limits of Cooper City per Ordinance numbers 83-5-3 and 76-9-2 to the Southwest corner of said Tract 21; thence Easterly along the South line of said Tract 21 and along the municipal limits of Cooper City per Ordinance numbers 76-9-2 and 89-9-1 to the East line of the Northwest one-quarter (NW 1/4) of said Section 31; thence Southerly along the East line of said Northwest one quarter (NW 1/4) and along the municipal limits of Cooper City per Chapter 59-1195, Laws of Florida, as amended by Chapter 61-2050, Laws of Florida, to the Northeast corner of the Southwest One-Quarter (SW 1/4) of said Section 31; thence Southerly along the East line of said Southwest one-quarter (SW 1/4), a portion of which is along the municipal limits of Cooper City per Ordinance number 2002-03-01 and Ordinance number 84-8-7, to the POINT OF BEGINNING.

LESS therefrom the following:

That portion of Cooper City per Ordinance number 92-8-1 described as follows; the West 156.875 feet of the East 470.625 feet of the North 216.25 feet of the South 256.25 feet of tract 41 in Section 31, Township 50 South, Range 41 East of said "Florida Fruit Lands Company's Subdivision No. 1".

And also LESS:

That portion of Cooper City per Ordinance number 2001-5-1 described as follows; the South 143.50 feet of the West 125.00 feet of the East 1172.50 feet of tract 39, and the West 125.00 feet of the East 1172.50 feet less the South 35.00 feet of tract 40 in Section 31, Township 50 South, Range 41 East of said "Florida Fruit Lands Company's Subdivision No. 1".

And also LESS:

That portion of Cooper City per Ordinance number 89-5-6 described as follows; the South 215.37 feet of the West 450.00 feet of the East 1047.50 feet of tract 40 in Section 31, Township 50 South, Range 41 East of said "Florida Fruit Lands Company's Subdivision No. 1", less the South 55.00 feet; and less the East 287.49 feet thereof.

And also LESS:

That portion of Cooper City per Ordinance number 2000-3-2 described as follows; Parcel A, "Nur-ul Islam", according to the plat thereof, as recorded in Plat Book 149, at Page 28, of the Public Records of Broward County, Florida. Together with: the South 143.5 feet of the East 75 feet of Tract 39, and the North 190.5 feet of the East 75 feet of Tract

40 in Section 31, Township 50 South, Range 41 East (as measured from the East line of the Northeast quarter of Section 31) of said "Florida Fruit Lands Company's Subdivision No. 1"; less: the East 15 feet thereof.

And also LESS:

All of Tracts 24, 33 and 34 and a portion of Tracts 35 and 36 of Section 31, Township 50 South, Range 41 East of "Florida Fruit Lands Company's Subdivision No. 1", as recorded in Plat Book 2, Page 17 of the Public Records of Dade County, Florida, and all of the plat of "Indian Pond", as recorded in Plat Book 139, Page 21 of the Public Records of Broward County, Florida, more particularly described as follows:

BEGIN at the Northeast corner of said Tract 24; thence Southerly along the East line of the Northwest one-quarter (NW 1/4) of said Section 31 and along the municipal limits of Cooper City per Chapter 59-1195, Laws of Florida, as amended by Chapter 61-2050, Laws of Florida, to the Northeast corner of the Southwest One-Quarter (SW 1/4) of said Section 31; thence Southerly along the East line of said Southwest One-Quarter (SW 1/4), a portion of which is along the municipal limits of Cooper City per Ordinance number 2002-03-01, to the Southeast corner of said Tract 36; thence Westerly along the South line of said Tract 36 and along the South line of said "Indian Pond" to the Southwest corner of said Tract 36, also being the Southwest corner of said "Indian Pond"; thence Northerly along the West line of "Indian Pond" and along the West line of said Tracts 34, 33 and 24 to the Northwest corner of said Tract 24; thence Easterly along the North line of said Tract 24 to the POINT OF BEGINNING.

And also LESS:

A portion of "Pleasant Acres", according to the plat thereof, as recorded in Plat Book 131, Page 48, of the public records of Broward County, Florida, and a portion of "Florida Fruit Lands Company's Subdivision No. 1", as recorded in Plat Book 2, Page 17 of the Public Records of Dade County, Florida, in Section 31, Township 50 South, Range 41 East, more particularly described as follows:

BEGIN at the Southeast corner of Tract B of said "Pleasant Acres"; thence Westerly along the South line of said Tract B to the Southwest corner thereof; thence Northerly along the West line of said Tract B and along the Northerly prolongation thereof to the North line of said Section 31; thence Easterly along said North line and along the municipal limits of Cooper City per Chapter 59-1195, Laws of Florida, as amended by Chapter 61-2050, Laws of Florida, to a point of intersection with the Northerly prolongation of the East line of said Tract B; thence Southerly along said prolongation and along said East line to the POINT OF BEGINNING.

TOGETHER WITH:

A portion of "F.M. Brown's Subdivision of Section 36, Township 50 South, Range 40 East", as recorded in Plat Book 4, Page 5 of the Public Records of Broward County,

Florida and all of "Rio Ranches", according to the plat thereof as recorded in Plat Book 91, Page 30 of the Public Records of Broward County, Florida, more particularly described as follows:

BEGIN at the intersection of the East line of said Section 36 with the Easterly prolongation of the South boundary of said "Rio Ranches"; thence Westerly along said Easterly prolongation to the Northeast corner of Lot 22, Block 2 of said "F.M. Brown's Subdivision of Section 36, Township 50 South, Range 40 East"; thence Westerly along the North line of said Lot 22 and the South line of said "Rio Ranches" and along the municipal limits of Cooper City per Ordinance number 84-3-1 and per Chapter 59-1195, Laws of Florida, as amended by Chapter 61-2050, Laws of Florida to the Southeast corner of Lot 42 of said "Rio Ranches"; thence Northerly along the East line of said Lot 42 and along the municipal limits of Cooper City per Ordinance number 89-5-4 to the Northeast corner of said Lot 42; thence Westerly along the North line of said Lot 42 and along said municipal limits to the Northwest corner of said Lot 42; thence Southerly along the West line of said Lot 42 and along said municipal limits to the Southwest corner of said Lot 42 and the North line of the aforesaid Lot 22; thence Westerly along said North line and along the municipal limits of Cooper City per Ordinance number 84-3-1 to the Northwest corner of said Lot 22; thence Northerly along the West line of said "Rio Ranches" and along the municipal limits of Cooper City per Chapter 59-1195, Laws of Florida, as amended by Chapter 61-2050, Laws of Florida, to the Northwest corner of said "Rio Ranches"; thence Easterly along the North line of said "Rio Ranches", being 40 feet South of the North line of said Section 36, and along the municipal limits of Cooper City per Ordinance number 95-10-1 and along the Easterly prolongation thereof to the East line of said Section 36; thence Southerly along said East line to the POINT OF BEGINNING.

Said lands situate, lying and being in Broward County, Florida.

The legal description of the Rio Ranches neighborhood is as follows:

A portion of "F.M. Brown's Subdivision of Section 36, Township 50 South, Range 40 East", as recorded in Plat Book 4, Page 5 of the Public Records of Broward County, Florida and all of "Rio Ranches", according to the plat thereof as recorded in Plat Book 91, Page 30 of the Public Records of Broward County, Florida, more particularly described as follows:

BEGIN at the intersection of the East line of said Section 36 with the Easterly prolongation of the South boundary of said "Rio Ranches"; thence Westerly along said Easterly prolongation to the Northeast corner of Lot 22, Block 2 of said "F.M. Brown's Subdivision of Section 36, Township 50 South, Range 40 East"; thence Westerly along the North line of said Lot 22 and the South line of said "Rio Ranches" and along the municipal limits of Cooper City per Ordinance number 84-3-1 and per Chapter 59-1195, Laws of Florida, as amended by Chapter 61-2050, Laws of Florida to the Southeast corner of Lot 42 of said "Rio Ranches"; thence Northerly along the East line of said Lot 42 and along the municipal limits of Cooper City per Ordinance number 89-5-4 to the

Northeast corner of said Lot 42; thence Westerly along the North line of said Lot 42 and along said municipal limits to the Northwest corner of said Lot 42; thence Southerly along the West line of said Lot 42 and along said municipal limits to the Southwest corner of said Lot 42 and the North line of the aforesaid Lot 22; thence Westerly along said North line and along the municipal limits of Cooper City per Ordinance number 84-3-1 to the Northwest corner of said Lot 22; thence Northerly along the West line of said "Rio Ranches" and along the municipal limits of Cooper City per Chapter 59-1195, Laws of Florida, as amended by Chapter 61-2050, Laws of Florida, to the Northwest corner of said "Rio Ranches"; thence Easterly along the North line of said "Rio Ranches", being 40 feet South of the North line of said Section 36, and along the municipal limits of Cooper City per Ordinance number 95-10-1 and along the Easterly prolongation thereof to the East line of said Section 36; thence Southerly along said East line to the POINT OF BEGINNING.

TOGETHER WITH:

All other lands that may be annexed into the Town of Davie in the future.